

**REMARKS**

Claims 1-9 are pending; and of these, independent claims 1, 3, 5, 6 and 7 have been amended. Reconsideration of the subject application in view of this Paper is respectfully requested.

The Office Action states that the provided title of the invention is not descriptive. Applicants have amended the title, as provided hereinabove; whereby the additional description provided is believed to obviate further objection. Accordingly, it is kindly requested that the instant objection be withdrawn.

On pages 2-9, the Office Action provides that claims 3-8 are rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Application Publication No. 2004/0095504 to Yasuda (hereinafter “Yasuda”), that claim 1 is rejected under 35 U.S.C. § 103(a) over Yasuda in view of U.S. Patent No. 6,906,748 to Kawase et al. (hereinafter “Kawase”), that claim 2 is rejected under 35 U.S.C. § 103(a) over Yasuda in view of Kawase and further in view of U.S. Patent No. 6,426,775 to Kurokawa (hereinafter “Kurokawa”), and that claim 9 is rejected under 35 U.S.C. § 103(a) over Yasuda. With respect to Applicant’s claims in view of this Paper, the rejection thereof is respectfully traversed.

A rejection of a claim on the basis of anticipation requires that the single piece of prior art being applied show, either expressly or inherently, each element of the claim. A rejection of a claim on the basis of obviousness under 35 U.S.C. § 103(a) requires that the prior art teach or suggest the combination as claimed.

Applicant notes initially that a rejection under 35 U. S. C. § 103(a) is not appropriate where a cited reference qualifies as prior art under 35 U. S. C. § 102(e) and the cited reference

and the application being rejected are obligated to be or are assigned to the same assignee (see, 35 U. S. C. § 103(c)(1)). In the present case, the Yasuda reference qualifies as prior art under 35 U. S. C. § 102(e) and it is assigned to Canon Kabushiki Kaisha as is the subject application. Accordingly, under 35 U. S. C. § 103(c)(1), the Yasuda reference is not citable under 35 U. S. C. § 103(a) and the Examiner's rejections of claims 1, 2 and 9 under 35 U. S. C. § 103(a) should be withdrawn.

In any case, as may be seen on the attached "Listing of Claims", Applicant has chosen to amend each of the independent claims 1, 3, 5, 6 and 7 in a manner which clarifies the subject matter for which claim coverage is sought. In particular, each of the pending claims now recites a construction comprising the feature "wherein the first light emitter and the second light emitter are configured as separate emitters".

As to the claims as now amended, it is believed that Yasuda, which provides for light emitting units 120 and 121, fails to address the constructions now presented by this Paper. In particular, Yasuda, in its Figure 1, reflects a configuration in which light emitting units 120 and 121 are integral to each other. In contrast, Applicants' present invention provides for each of its emitters being separate in their configuration; whereby support for such recitation can be found at pages 25-26 of Applicant's specification. As stated therein, the now recited configuration provides for certain distinct advantages, principal among which is an ability to concentrate the flash energy of the second light emitter on light emission during still-image shooting, thereby allowing effective use of the energy stored in the capacitor of the imaging device. As a result thereof, abilities including reduction of the capacitance of

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the capacitor, simplification of the flash control circuit and reduction of the size of the camera body may all be achieved.

Accordingly, it is kindly submitted, for all of the reasons presented, that rejection of the claims is no longer appropriate in view of this Paper; thus, it is kindly requested that such rejection be withdrawn.

It is respectfully submitted that the claims pending in the subject application are in condition for allowance. Accordingly, reconsideration of the application and allowance thereof are respectfully requested. If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, the Examiner is invited to telephone the undersigned directly by calling (212) 790 – 9278.

The Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16-1.17 which may be required by Papers filed in this application to Deposit Account No. 03-3415.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Buck", with a stylized, flowing script.

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